REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 20, 2005. Claims 1-6, 8-16, 18-26 and 28-30 were pending in the Application. In the Office Action, Claims 1-6, 8-16, 18-26 and 28-30 were rejected. Claims 1-6, 8-16, 18-26 and 28-30 remain pending in the Application. Applicant respectfully requests reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 102 REJECTIONS

Claims 1-6, 8-16, 18-26 and 28-30 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,427,161 issued to LiVecchi (hereinafter "*LiVecchi*"). Applicant respectfully traverses this rejection.

Of the rejected claims, Claims 1, 12 and 22 are independent. Applicant respectfully submits that *LiVecchi* does not disclose or even suggest each and every limitation of independent Claims 1, 12 and 22. For example, Applicant respectfully submits that *LiVecchi* does not disclose or even suggest "transferring the request to a client thread dynamically created by the control thread to process request data associated with the request" as recited, for example, by independent Claim 1 (emphasis added).

As discussed in the office action response filed June 9, 2005, and in the RCE filed August 26, 2005, *LiVecchi* appears to disclose two groups of worker threads for processing data requests: 1) active threads; and 2) blocked threads (comprised of worker threads not in the first or active group) (*LiVecchi*, column 7, lines 20-42). *LiVecchi* also appears to disclose a scheduling heuristic to determine whether to unblock a waiting thread to process a data request or wait for a currently-running thread to complete (*LiVecchi*, column 12, line 66 to column 13, line 2). Thus, in *LiVecchi*, there appears to be a finite number of "worker threads" for processing a data request. In the Office Action, the Examiner appears to imply that unblocking a thread is the same as "dynamically creat[ing]" a thread as recited by Claim 1 ("the dispatcher thread serves the function of a control thread in that it wakes up or creates a worker thread" (Office Action, page 3)). Applicant respectfully disagrees. *LiVecchi* clearly discloses that to unblock a thread is to "unblock a waiting thread" (*LiVecchi*, column 12, line 66 to column 13, line 2) (emphasis added). Thus, in *LiVecchi*, the thread to be "unblocked" appears to already exist and, therefore, is not "dynamically created" as recited by Claim 1. Accordingly, for at least this reason, *LiVecchi* does not anticipate Claim 1.

Additionally, in the Office Action, the Examiner refers to column 17, lines 40-67, of *LiVecchi* as disclosing "transferring the request to a client thread dynamically created by the control thread to process request data associated with the request" as recited by Claim 1 (emphasis added) (Office Action, page 3). Applicant respectfully disagrees. The portion of *LiVecchi* referred to by the Examiner appears to be directed toward partitioning a pool of threads. For example, *LiVecchi* recites:

> The worker threads will each contain logic to check this data area to determine if any source-related processing is required. This enables any thread from the pool to process connections that arrive on any of the multiple passive sockets. Therefore, it is no longer required to allocate worker threads to passive sockets using a static partitioning. This embodiment accomplishes a dynamic partitioning of the pool to the various input sources, by having those sources merged onto the ready queue of the collector socket.

(*LiVecchi*, column 17, lines 59-67). Thus, *LiVecchi* appears to disclose that the "pool" of threads of *LiVecchi*, which, as discussed above, comprises a finite number of threads, is dynamically partitioned. Instead, Claim 1 recites "dynamically creat[ing]" a client thread to process the request. Accordingly, for at least this reason also, Applicant respectfully submits that *LiVecchi* does not anticipate Claims 1.

Independent Claim 12 recites "a server and operable to . . . transfer the request to a client thread dynamically created by the control thread to process request data associated with the request" (emphasis added), and independent Claim 22 recites "an application software residing on a computer-readable medium and operable to . . . transfer the request to a client thread dynamically created by the control thread to process request data associated with the request" (emphasis added). At least for the reasons discussed above in connection with independent Claim 1, Applicant respectfully submits that *LiVecchi* also does not anticipate Claims 12 and 22.

Claims 2-6, 8-11, 13-16, 18-21, 23-26 and 28-30 that depend respectively from independent Claims 1, 12 and 22 are also not anticipated by *LiVecchi* at least because they incorporate the limitations of respective Claims 1, 12 and 22 and also additional elements that further distinguish *LiVecchi*. Therefore, Applicants respectfully request that the rejection of Claims 1, 12, and 22, and Claims 2-6, 8-11, 13-16, 18-21, 23-26 and 28-30 that depend respectively therefrom, be withdrawn.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending claims.

No fee is believed due with this Response. If, however, Applicant has overlooked the need for any fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

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